

KEPOIKAI WON'T RESIGN

His Correspondence
With Secretary
Carter.

Acting Governor Carter, on coming to the responsibility of that position yesterday, was disappointed in his expectation, expressed on Tuesday evening of receiving the resignation of Treasurer Kepoikai. The correspondence printed below exhibits the present situation—one that has the genuine hue of an old-time cabinet crisis.

In the meantime Mr. Carter is acting up to his declaration that he would do nothing which was not absolutely necessary pending the arrival of his commission as Governor.

Yesterday afternoon the Acting Governor informed Clarence M. White, Chief Clerk, that he would not assume administration of the Department of Public Works, in its ordinary details, for the present. Business other than clerical routine would await the appointment of a head to the department. Mr. White is therefore in charge of whatever business may be transacted in the meantime.

The letters that passed between Messrs. Carter and Kepoikai yesterday were as follows:

CARTER TO KEPOIKAI.

"Hon. A. N. Kepoikai, Treasurer of the Territory.

"Dear Sir:—As you are aware Governor Dole has taken his oath as Federal Judge, and thereby his resignation as Governor becomes effective.

"I have not yet, and do not now ask you to resign, but before I accept the responsibility as Acting Governor it is necessary for you to take some definite action. Further delay on your part will not only cripple my Administration (which is a small matter), but will seriously hamper and delay the machinery of the government in many of its departments and greatly inconvenience the public, for all of which I must decline to be responsible.

"Sincerely yours,
"GEORGE R. CARTER."

KEPOIKAI TO CARTER.

"Hon. George R. Carter, Acting Governor, Territory of Hawaii.

"Sir:—Yours of this date marked 'personal' is received, wherein you reminded me that Governor Dole, having entered upon his judicial duties, his resignation as Governor has become effective—you meaning thereby to convey the impression that you have succeeded to the Executive chair, de facto.

"You assert that you have not yet, and do not now ask me to resign my office as Treasurer of the Territory—but assure me that 'it is necessary for me to take some definite action,' presumably in reference to such resignation—before your acceptance of 'the responsibility as Acting Governor, of directing the policy of the government,' etc., also that 'further delay on my part will not only cripple the Administration, but will seriously hamper and delay the machinery of the government in many of its departments and greatly inconvenience the public, for all of which you must decline to be responsible.'

"Responding to the above, I do not recognize the 'necessity' of my 'taking any definite action' in the premises, and I must respectfully dissent from the proposition that my resignation or failure to resign, my office, can in any logical or reasonable sense cripple, or delay, or hamper the machinery of the government in any of its departments, or that such action or non-action on my part would or could greatly or at all inconvenience the public; and I note your entire failure to specify any of the particulars wherein such results or any of them could reasonably be expected to follow either my adhering to or resigning my present office.

"Let me remind you that I hold my office under a definite tenure of four years from the date of my appointment—that I have been confirmed by the Hawaiian Senate, and commissioned in due form of law—under the provisions of the Organic Act.

"There is no suggestion in any of your intercourse with me, that I have been guilty of any official impropriety or incompetence. Wherefore I fail to recognize either the necessity or the propriety of renouncing my office, which is one of honor, as well as of emolument, and one which any citizen of Hawaii may take a just pride in holding; and, in the discharge of the duties whereof, I am conscious of having committed neither violations of the law, nor deviations from official discretion or courtesy.

"In view of these, and other considerations, too numerous to be here even epitomized, I am constrained to inform you that I have resolved to remain in my present office, under the terms of my appointment and commission thereto. Very respectfully yours,

"A. N. KEPOIKAI,
"Treasurer, Territory of Hawaii."

CARTER'S FINAL NOTE.

"A. N. Kepoikai, Esq., Honolulu.

"Dear Sir:—I have received your letter in response to my note of this morning, and I am exceedingly sorry that you have failed to prove a man of your word. I had every reason to expect from so prominent an Hawaiian, and one who had such a high standing upon the statement, repeated twice to me, that it was your intention to withdraw and leave me free to select such heads of departments as would work with me and in whom I could repose every confidence. Such confidence is now out of the question.

"Sincerely yours,
"GEORGE R. CARTER."

INSPECTORS' PAY RAISED

Will Receive \$100
a Month From
Dec. 1.

The order of business for yesterday's meeting of the Board of Health was largely of a routine nature. After the set items had been disposed of, Mr. Robinson asked if it was expected the members should resign their commissions to the new Territorial administration.

Dr. Cooper replied with a negative opinion, saying he understood the act was only desired of heads of departments. His own resignation was handed in two weeks ago, as that of the head of the department and a salaried official. Members holding honorary commissions he thought had no occasion for resigning.

Those present were: Dr. C. B. Cooper, president; Fred C. Smith, Dr. W. H. Mays, Mark P. Robinson, E. C. Winston and Attorney General Andrews, members; Dr. J. S. B. Pratt, chief health officer; C. Charlock, secretary, and Miss Mae Weir, stenographer.

John Cassidy's bid of \$5000 to construct the Molokai telephone line was formally accepted, and the contract awarded to the bidder by the president last week confirmed.

LAHAINA REGULATIONS.

Letters from Dr. Molony, government physician, and L. M. Vetlesen, sanitary inspector, discussing the proposed sanitary regulations for Lahaina, were read.

Dr. Cooper stated the difficulties in the way of prescribing drainage of tenements near the beach into the sea. Unless the owners united in constructing a common sewer he did not know how it could be done. It was a hard matter to handle.

Dr. Pratt explained his idea in making the recommendation on which the proposed regulation was based. This was to have a pipe run down to the beach with lateral drains from houses connected therewith.

Dr. Cooper spoke of the difficulty of ordering a compulsory sewerage system for Lahaina, until the Legislature should see fit to make provision for a general system.

Other of the regulations were considered, such as those relating to the sale of fish and disposal of garbage. The draft and communications were finally on motion of Mr. Andrews, referred to a committee consisting of the medical members.

RAISE OF SALARIES.

The sanitary inspectors of Honolulu had their pay raised at the suggestion of the president.

Dr. Cooper, after the sanitary reports for October had been read, brought up the matter. He said one of the fourteen inspectors had resigned and another gone to the Coast, leaving twelve which, he said in answer to a question, were sufficient to cover the city. The inspectors had been receiving \$85 a month, a poor living for a family, and he recommended that their pay be increased to \$100 a month from the first of December.

Mr. Robinson said an inspector had complained to him that morning of not having received his due pro rata of salary the past month, and stated that he represented other inspectors in making complaint.

Dr. Cooper remarked that any inspector who was dissatisfied had only to return his badge. There were plenty of good men waiting to take the place.

On motion of Mr. Winston, seconded by Mr. Smith, the salaries of inspectors were raised to \$100 a month after November.

The secretary reported that there would be a surplus of \$38 in the inspection fund under the six months' appropriation. Mr. Winston moved, seconded by Mr. Smith, and it was carried, that the president divide the surplus money among the inspectors.

REPORTS.

Reports were read from the food commissioner, the chief health officer, the sanitary inspectors, the plumbing inspector and the sanitary inspectors of Lahaina and Hilo.

Two letters were received from Dr. L. E. Cofer, chief quarantine officer, reporting health conditions in the Orient. The latest showed as follows: Yokohama, two weeks to Oct. 24.—Plague cases, 3; deaths, 4; doubtful plague cases, 3; deaths, 1.

Kobe, two weeks to October 28.—Clean.

Hongkong, two weeks to October 20.—Plague cases, 4; deaths, 4.

Nagasaki, two weeks to October 26.—Cholera cases, 40; deaths, 22. Remarks: 18 cholera, 22 suspected.

Shanghai, two weeks to October 17.—Cholera cases, 2; deaths, 9.

NEW DISPENSARY.

Dr. Mays asked for information regarding the projected new dispensary.

Dr. Cooper answered that they were in a period of transition, not knowing where they were "at." Plans and bids were in hand and he did not think there would be any difficulty after a new head was appointed to the Public Works department. A morgue as well as a dispensary was planned, and he considered a morgue the more pressing necessity of the two.

CHILDREN LIKE TO TAKE IT.

The finest quality of granulated loaf sugar is used in the manufacture of Chamberlain's Cough Remedy, and the roots used in its preparation give it a flavor similar to maple syrup, making it quite pleasant to take. Children like to take it and it has no injurious effect. It always cures. For sale by all dealers and druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

COL. WM. H. CORNWELL DIES AT WAIKAPU RANCH



THE LATE COL. W. H. CORNWELL.

Death came suddenly and unexpectedly to Col. William H. Cornwell at 6:20 o'clock yesterday morning at his home at Waikapu, Maui. Before even his illness was known in Honolulu a wireless telegram arrived announcing the death of Mr. Cornwell to his relatives in this city. The telegram gave heart disease as the cause of death, although friends in Honolulu always believed Col. Cornwell to be a sufferer from acute dyspepsia. Death came very suddenly, Mr. Cornwell being ill little more than an hour. His wife and son were at his death bed.

MR. CORNWELL'S LIFE.

William H. Cornwell was born in Brooklyn, New York, sixty-one years ago. He came to Honolulu when a boy of fifteen years of age, having received his early education in New York.

The deceased was the son of the late Henry Cornwell. The elder Cornwell came to Hawaii with his two sons in the latter fifties. His brother-in-law, James Louzada, was already here and it was at his request that the Cornwells came to the islands. Louzada owned the large ranch interests in Waimea, Hawaii, better known as the Puuloa Sheep Ranch, adjoining the Parker ranch. This ranch was later purchased by Col. Macfarlane from W. L. Greene and Frank Spencer who bought it from Louzada. After this sale the elder Cornwell, in partnership with Louzada, started the Waikapu sugar plantation on Maui, which probably was the first plantation on that island. Cornwell and Louzada were very successful, much of their success being due to the late Colonel Cornwell, who for many years was employed as manager of the property. This plantation was followed very shortly by the Haiku, Mahee, and Campbell plantations, native labor at that time being obtainable at six dollars per month, while sugar sold in San Francisco at ten to twelve cents per pound.

In 1876 Col. Cornwell, with Col. G. W. Macfarlane, purchased the plantation, the elder Cornwell at that time retiring from business. With the plantation Cornwell and Macfarlane also acquired an immense tract of 12,000 acres known as the Great Waikapu Commons, which Claus Spreckels afterwards purchased from the partners, and with the Waikapu Commons started the big Spreckels plantation. To develop the property Spreckels had to acquire large water rights from King Kalakaua and in doing so he started the first trouble between the King and his cabinet, ending in Kalakaua dismissing his ministers, who opposed the grant, a prerogative the King then had.

Col. Cornwell was a close adherent of the Spreckels, and was well liked by Claus Spreckels, who always entertained Col. Cornwell upon his visits to San Francisco. John D. Spreckels and Samuel Parker were always said to be Cornwell's most intimate friends.

Later Cornwell sold his interest in the Waikapu plantation to the Hawaiian Commercial and Sugar Co., while Macfarlane retained his share, thus causing the famous million dollar lawsuit. After the sale of his share in the plantation, Cornwell leased a large tract of land at Kula, Maui, from King Kalakaua and began the raising of stock on an extensive scale, a business he managed most successfully up to the time of his death.

HIS FRIENDSHIP FOR KALAKAUA.

Col. Cornwell early formed a friendship for Kalakaua which endured until the latter's death, and many stories are told of the regal entertainments that the two gave each other, the King entertaining Cornwell in Honolulu and Cornwell giving grand affairs for the King at Waikapu. In 1886 Cornwell was appointed a member of the King's staff and during the revolution of the following year he entered politics and remained a staunch supporter of Kalakaua and later of Liliuokalani. In 1890 he was elected a member of the House of Nobles for a four-year term and in the years that followed took an active part in the events which led up to the deposing of the Queen and the formation of the Provisional Government.

On Nov. 1, 1892, the Queen named a new cabinet and sent in Cornwell's name as Minister of Finance. This Cabinet lasted but long enough to be voted out of existence by the Legislature on that same day. On January 13, 1903, he became a member of the Parker Cabinet, the one which later surrendered to the new provisional government on the seventeenth of January, four days after it had been formed.

CORNWELL A DEMOCRAT.

Although a staunch supporter of the Queen, Cornwell accepted the conditions which came with the annexation of the islands to the United States. He then became a Democrat and attended the National Democratic Convention of 1900 as a delegate from Hawaii. Later he became national committeeman for Hawaii, and during the last legislative campaign at the request of Col. Blackburn of Kentucky, he made an effort to unite the Democrats and Home Rule parties in Hawaii.

In 1870 Col. Cornwell was married to Miss Blanche Macfarlane. Three children survive of that union, Mrs. J. S. Walker and Mrs. A. A. Braymer of Honolulu and W. H. Cornwell, Jr., of Maui. His wife died about fifteen years ago and last December Mr. Cornwell was married to Mrs. Josephine Colvin in Honolulu. She was with him at the time of his death.

Mr. Cornwell was a great lover of horse flesh. For a number of years he was president of the Hawaiian Jockey Club and one of its charter members. He imported and bred many harness and running horses, among them being "May D.", "Hawcock," "Nisa," "Garfield," "W. W. Wood," "Lord Brock," "Venus," "Gartland," the flying "Ahuimanu," and many others. His racing colors were well known as the silver gray and cardinal maltese cross. At his Sacramento River ranch in California he kept a good stable.

THE FUNERAL.

The funeral arrangements have not been definitely made. The body will be brought to Honolulu in the Mauna Loa Friday. The funeral will probably be under the auspices of the Hawaiian Lodge No. 21, F. & A. M., of which Mr. Cornwell was a member. The services may be held Saturday or Sunday.

The deceased counted hundreds in Hawaii as personal friends. Of a genial, pleasant disposition he made friends easily and kept them always. He will be greatly missed both by Hawaiians as well as the American residents of the islands.

CHILLINGWORTH BARRED OUT

Deputy Sheriff Chillingworth finds himself barred out of his own office at the police station. The place was invaded yesterday by carpenters and a handsome railing and counter has been installed which cuts the office in half.

Clerk Harry Moesman retains his old section of the office at the Ewa end, while Deputy Sheriff Chillingworth's desk reposes in the section nearest the door. However, as the change was made according to the direction of High Sheriff Brown and himself, the arrangement is satisfactory all around.

Heretofore there was little or no privacy in the Deputy Sheriff's office. His own desk, the clerk's desk and the cabinet containing the police archives were exposed to the inspection of anybody who entered the office. Court papers, secret files, memorandums and other documents were practically at the mercy of everybody's eyes.

In future no one but the elect may go behind the rail. A sign labelled "Enter at Your Peril," with crossed police clubs beneath it will be posted up over the counter gate.

The British bark Queen Margaret departed for Sydney yesterday afternoon after experiencing some difficulty in securing a crew.

STARVE THEM OUT!

Why not starve the germs to death? Scott's Emulsion will do it.

The germs of consumption are an invading army numbering millions upon millions; they must all be fed or they will soon die of starvation. A lung a little below "par" in vitality is just to their liking.

Why not put new life into it? Scott's Emulsion feeds the lungs. It fills the blood with nourishing food for all the weak parts. Good food means life. Life means resistive force.

Germs cannot live on healthy tissue. Scott's Emulsion and good fresh air drive out the germs of consumption.

We'll send you a sample free upon request.

SCOTT & BOWNE, 409 Pearl Street, New York.

A LODGING HOUSE CASE

Attack on License
System is
Made.

C. C. Bittling made an attack on the lodging house license regulation in Judge Gear's court yesterday. It was in argument on his motion to quash the indictment of Frank Luceviko for misdemeanor in conducting a lodging house without a license. Counsel for the defendant contended that it was unconstitutional to restrict a legitimate business, not in itself one over which police control is recognized as necessary such as saloons or gambling places, by license regulations. He spoke about "fifty cents a day" inspectors of the Board of Health as declining, for mere spite, to grant the certificate for defendant's lodging house which is required to be furnished before the Treasurer of the Territory will issue a license to such a place. The argument continues this morning. E. C. Peters, Deputy Attorney General, represents the Territory.

IN THREE COURTS.

The trial of Siu Sau for assault and battery, before Judge Gear, resulted in a mistrial being entered on account of hopeless disagreement of the jury.

The trial of E. M. Jones for murder was set for Monday next, the court denying the motion to have the trial begin yesterday.

Judge Robinson entered judgment by default against defendant in the suit of A. G. Correa vs. A. A. de Mattos, appeal of defendant from Honolulu District Court's judgment for \$181.32 and costs in favor of plaintiff. J. M. Vivas appeared for plaintiff.

Manuel D. Silveira vs. L. Ahlo is still on trial before Judge De Bolt, and Kapolani Estate vs. Faria before Judge Robinson.

DISPOSAL OF SUITS.

C. B. Menesi vs. Jack Kalaiwahe, defendant's appeal from District Court judgment of \$61.25 for plaintiff, was continued till next term by Judge De Bolt. H. Hogan appeared for defendant.

F. E. Thompson vs. Ah Ping & Co. was continued for the term owing to the absence of parties. It is an appeal from judgment of \$186.09 for plaintiff by District Magistrate Dickey.

Ishinoshu Tukushima vs. Morihiro was continued for the term, being an action for \$2000 damages for malicious prosecution. E. M. Watson appeared for defendant.

C. Shiozawa vs. Kamalo Sugar Co., assumpsit for \$580, and Kapolani Estate, Ltd. vs. Manuel Gomes, a covenant suit for \$1000 damages, were continued for the term.

Leong Yick Co. vs. New Zealand Insurance Co., and Gow Chong and Ida E. Lamb vs. Royal Insurance Co., were discontinued.

ESTATES OF MINORS.

Lucy H. McWayne, guardian of her four minor children, has filed an inventory showing the trust to consist of \$1500 divided between them equally, being a legacy under the will of the late S. C. Allen. Annie R. Jaeger, guardian of her minor son, has filed a similar inventory showing a legacy of \$375 under the will of the same testator.

Hatuturo Miyamoto, guardian of Hatuturo Miyamoto, a minor, has filed an inventory showing the sum of \$190, a legacy received under the will of George E. Boardman, less \$10 inheritance tax.

Kepoikai is surrounded by men who want to use him to cripple the Carter administration. They care nothing for him except as he may pull their chestnuts out of the fire. By and by when his fingers are burned he will get no sympathy.

MRS. TURK HITS BACK

Alleges Extreme Cruelty
and Failure to
Provide.

Estrella L. Turk has filed an answer and cross libel to the divorce suit of Frank J. Turk. She corrects his allegation of the date of their marriage from the 14th of October, 1896, to the 12th of that month.

Admitting that she has had no marital relations with the libellant since some time prior to June 1, 1903, she gives a reason therefor in cruel and brutal treatment suffered at his hands. She denies unlawful relations with the person named in the libel as co-respondent.

In her cross libel, wherein she prays for divorce against him, Mrs. Turk alleges that since their marriage Frank J. Turk, her husband, has neglected and refused to provide suitable maintenance for his wife, although of sufficient ability so to provide, and still neglects and refuses to perform that duty. Then she says:

"That on various times and occasions, and particularly at the time when, as hereinbefore stated, she was compelled to deny marital relations to her said husband, the libellant herein, he was guilty of extreme cruelty to her, the libellee; that he beat and pounded her with his fists, even going so far as to choke her into insensibility; that he has often threatened her with a revolver, threatened to take her life, and that his whole conduct, since almost immediately after their marriage, has been that of extreme cruelty toward her."

SANITATION IN OCTOBER

Dr. Pratt Tells of Work
Done by Inspectors
and Himself.

Dr. J. S. B. Pratt, chief health officer, made the following report to the president of the Board of Health, on city sanitation for October:

Acting under your instructions I took charge of the sanitary inspectors after the departure of City Sanitary Officer Tracy. In this work I have been assisted by J. F. Visser. In the report given, his work and mine are given together.

Four cesspools were located. A Chinaman was prosecuted in the District Court for peddling stale fish. He was fined \$3.00 and costs.

The number of inspections made were 1200.

Seven restaurant licenses were issued, seven lodging house licenses and two hotel licenses. The number of persons that can be lawfully lodged in the buildings are 639.

There were forty-eight burials and five disinterments. In making the burials, thirteen old graves were opened. The average depth of the graves, from which bodies were disinterred, was five feet.

The number of days special work of the inspectors was 14½.

The usual morning meeting for reports from the inspectors and the giving of instructions to them has been carried on the same as when the City Sanitary Officer was here.

A few changes have been made from the manner in which City Sanitary Officer Tracy carried on the work, but all these changes have been made with a view to increase the efficiency of the inspectors, and also to have a better control over the work which they are doing.

JAPAN ON THE HONOLULU YACHT

By the way, I see there is a challenge from Honolulu to the yachtsmen of Japan, but I do not see how anything can come of it.

Let Honolulu come here, if it wants; this is the senior yacht club, by many years.

It would be a foolish game for a tourist resort like this to go to a lot of trouble for the object of "boosting" a rival tourist place.

It is a simple-minded game, too, to take up a challenge on the condition that the one competitor must tell the other the design of his boat, and show his hand entirely.

It is also contrary to the interests of genuine yachting to go in so much for extreme types of racing machines. I do not think it likely that the Honolulu offer will find any takers here.—Japan Gazette.

The death of Colonel Wm. H. Cornwell was an unexpected shock, the public having no knowledge of his illness. Though a comparatively young man Colonel Cornwell belonged to the old regime in Hawaii, which gave to the islands such a fine flavor of good fellowship and hospitality. Few men had more personal friends. With his death breaks one more link between the old times and the new.